

Over his tenure, Mr. Berry has set a high standard with his dedication to his job and has acquired knowledge and experience which has been valuable to his company and its work for the United States government. Fifty years with an organization is a remarkable testament of this tireless Texan. I know my colleagues will join me in honoring Mr. Berry on his accomplishments and wishing him continued success with Lockheed Martin.●

TRIBUTE TO CHARLES WOODS

● Mr. SESSIONS. Mr. President, I rise to commemorate the recent death of one of Alabama's most remarkable men, Charles Woods of Dothan, AL. Mr. Woods, who was 83 years old, died October 17 in Dothan after an extended illness. Mr. Woods lived an extraordinary life. Orphaned until age 6, he worked hard and became a decorated World War II pilot who was severely burned in a plane crash in India as he and his crew were on their way to China over the Himalayan Mountains. Mr. Woods was riding as check pilot in a C-109 supply aircraft when the accident occurred. The plane crashed off the end of the runway, and Captain Woods was able to open the window on his side of the cockpit and stumble away from the flaming aircraft. The training pilot and two other crew members perished. That crash left Mr. Woods scarred but not beaten. His powerful drive to survive his burns was the same drive that made him a highly successful businessman.

After the war, Mr. Woods established successful real estate and media businesses that included the launching of Dothan's first television station, WTVY-TV. Still, he had a deep interest in politics and ran a number of high profile races that did not lead to victory but captured the attention of the people of Alabama and certainly his opponents. I well remember as a teenager watching his dramatic story produced as part of his first campaign for Governor. It was a powerful piece. I believe this early "infomercial" was a breakthrough in political campaigning and now, with the advent of cable television, has become more common.

He ran a strong race for the U.S. Senate in 1996 and his surge in the polls got the attention of all of us in that Republican primary. After I got in the runoff, I was very pleased that he chose to immediately endorse my candidacy. He was gracious and affirming. I valued that highly because everyone knew that Charles Woods was a courageous and independent minded person whose goal was to improve the lives of all Alabamians. His endorsement gave my campaign a real boost. Since that time, I had the opportunity to talk with him on a number of occasions, to appreciate his insight and decisiveness, and to become friends. He spoke to me of his faith on more than one occasion.

Mr. Woods' 10 children, 17 grandchildren and one great grandchild have received a tremendous legacy. Charles

Woods was truly a giant of a man who overcame tremendous adversity to achieve extraordinary things. His was an American story of almost unbelievable achievement.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND JAPAN ON SOCIAL SECURITY—PM 96

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Finance:

To the Congress of the United States:

Pursuant to section 233(e)(1) of the Social Security Act, as amended by the Social Security Amendments of 1977 (Public Law 95-216, 42 U.S.C. 433 (e)(1)), I transmit herewith the Agreement between the United States of America and Japan on Social Security, which consists of two separate instruments: a principal agreement and an administrative arrangement. The Agreement was signed at Washington on February 19, 2004.

The United States-Japan Agreement is similar in objective to the social security agreements already in force with Australia, Austria, Belgium, Canada, Chile, Finland, France, Germany, Greece, Ireland, Italy, Korea, Luxembourg, the Netherlands, Norway, Portugal, Spain, Sweden, Switzerland, and the United Kingdom. Such bilateral agreements provide for limited coordination between the United States and foreign social security systems to eliminate dual social security coverage and taxation, and to help prevent the lost benefit protection that can occur when workers divide their careers between two countries. The United States-Japan Agreement contains all provisions mandated by section 233 and other provisions which I deem appropriate to carry out the purposes of section 233, pursuant to section 233(c)(4).

I also transmit for the information of the Congress a report prepared by the Social Security Administration explaining the key points of the Agreement, along with a paragraph-by-paragraph explanation of the provisions of

the principal agreement and the related administrative arrangement. Annexed to this report is the report required by section 233(e)(1) of the Social Security Act, a report on the effect of the Agreement on income and expenditures of the United States Social Security program and the number of individuals affected by the Agreement.

The Department of State and the Social Security Administration have recommended the Agreement and related documents to me.

I commend to the Congress the United States-Japan Social Security Agreement and related documents.

GEORGE W. BUSH.

THE WHITE HOUSE, November 17, 2004.

REPORT RELATIVE TO THE NON-SUITABILITY OF THE SQUIRREL RIVER IN ALASKA AS AN ADDITION TO THE NATIONAL WILD AND SCENIC RIVERS SYSTEM—PM 97

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Energy and Natural Resources:

To the Congress of the United States:

I transmit herewith the enclosed study, findings, and report for the Squirrel River in Alaska. The report and my recommendations are submitted pursuant to my authority under Article II, section 3, of the Constitution of the United States, and consistent with section 5(a) of the Wild and Scenic Rivers (WSR) Act, Public Law 90-542, as amended. The Squirrel River suitability study was authorized by Public Law 96-487 (Alaska National Interest Lands Conservation Act).

The study conducted by the Bureau of Land Management determined that all 100 miles of the river are nonsuitable for inclusion in the National WSR System. Consistent with the study, I recommend that the Congress take no action to designate the river. The withdrawal provided by section 5(a) of the WSR Act would expire within 3 years of the date of this message (unless other action is taken by the Congress). Approximately 81,501 acres of State-selected lands would be opened to mineral entry although mineral potential has been assessed as very low and there are no past or active mining claims.

GEORGE W. BUSH.

THE WHITE HOUSE, November 17, 2004.

MESSAGE FROM THE HOUSE

At 3:21 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following joint resolution, in which it requests the concurrence of the Senate:

H.J. Res. 110. Joint resolution recognizing the 60th anniversary of the Battle of the Bulge during World War II.

The message also announced that the House has passed the following bills, without amendment:

S. 2214. An act to designate the facility of the United States Postal Service located at 3150 Great Northern Avenue in Missoula, Montana, as the "Mike Mansfield Post Office".

S. 2640. An act to designate the facility of the United States Postal Service located at 1050 North Hills Boulevard in Reno, Nevada, as the "Guardians of Freedom Memorial Post Office Building" and to authorize the installation of a plaque at such site, and for other purposes.

S. 2693. An act to designate the facility of the United States Postal Service located at 1475 Western Avenue, Suite 45, in Albany, New York, as the "Lieutenant John F. Finn Post Office".

The message further announced that the House disagrees to the amendment of the Senate to the bill (H.R. 4818) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2005, and for other purposes, and agree to the conference asked by the Senate on the disagreeing votes of the two Houses thereon; and appoints the following members as the managers of the conference on the part of the House.

From the Subcommittee on Foreign Operations, Export Financing, and Related Programs of the Committee on Appropriations, for consideration of the House bill and the Senate amendment, and modifications committed to conference: Mr. KOLBE, Mr. KNOLLENBERG, Mr. LEWIS of California, Mr. WICKER, Mr. BONILLA, Mr. VITTER, Mr. KIRK, Mr. CRENSHAW, Mrs. LOWEY, Mr. JACKSON of Illinois, Ms. KILPATRICK, Mr. ROTHMAN, and Ms. KAPTUR.

From the Committee on Appropriations, for consideration of the House bill and the Senate amendment, and modifications committed to conference: Mr. YOUNG of Florida, Mr. REGULA, Mr. HOBSON, Mr. OBEY, and Mr. VISCLOSKEY.

The message also announced that pursuant to section 1 of the Library of Congress Trust Fund Board Act (2 U.S.C. 154 note), and the order of the House of December 8, 2003, the Speaker appoints the following members on the part of the House of Representatives to the Library of Congress Trust Fund Board, each for a 5-year term: Mr. Edwin L. Cox of Dallas, Texas, and Mr. Anthony Welters of Vienna, Virginia.

The message further announced that pursuant to section 703 of the Social Security Act (42 U.S.C. 903 note), the order of the House of December 8, 2003, and with the advice of the Chairman of the Committee on Ways and Means, on October 9, 2004, the Speaker reappointed the following members on the part of the House of Representatives to the Social Security Advisory Board for a 6-year term to fill the existing vacancy thereon: Mrs. Doreas R. Hardy of Spotsylvania, Virginia.

The message also announced that pursuant to section 301 of the Congressional Accountability Act of 1995 (2

U.S.C. 1381), amended by Public Law 108-329, and the order of the House of December 8, 2004, the Speaker and Minority Leader of the House of Representatives and the Majority and Minority Leaders of the United States Senate announce their joint reappointment on October 27, 2004, of the following individuals to a 5-year term to the Board of Directors of the Office of Compliance: Mr. Alan V. Friedman of Los Angeles, California, Ms. Susan S. Robfogel of Rochester, New York, and Ms. Barbara Childs Wallace of Ridgeland, Mississippi.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-9745. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, the report of the texts and background statements of international agreements, other than treaties; to the Committee on Foreign Relations.

EC-9746. A message from the President of the United States, transmitting, pursuant to law, a report of the continuation of the national emergency regarding weapons of mass destruction; to the Committee on Banking, Housing, and Urban Affairs.

EC-9747. A message from the President of the United States, transmitting, pursuant to law, a report of the continuation of the national emergency with respect to Iran; to the Committee on Banking, Housing, and Urban Affairs.

EC-9748. A communication from the Associate General Counsel for Legislation and Regulations, Office of the Assistant Secretary for Housing, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "HUD's Housing Goals for the Federal National Mortgage Association (Fannie Mae) and the Federal Home Loan Mortgage Corporation (Freddie Mac) for the Years 2005-2008 and Amendments to HUD's Regulations of Fannie Mae and Freddie Mac" (RIN2501-AC92) received on November 4, 2004; to the Committee on Banking, Housing, and Urban Affairs.

EC-9749. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Evaluation of Medicare's Competitive Bidding Demonstration for Durable Medical Equipment, Prosthetics, Orthotics, and Supplies"; to the Committee on Finance.

EC-9750. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Revisions to Payment Policies Under the Physician Fee Schedule for CY 2005" (RIN0938-AM90) received on November 15, 2004; to the Committee on Finance.

EC-9751. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Prospective Payment System for Inpatient Psychiatric Facilities" (RIN0938-AL50) received on November 15, 2004; to the Committee on Finance.

EC-9752. A communication from the Regulations Coordinator, Centers for Medicare

and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Changes to the Hospital Outpatient Prospective Payment System and Calendar Year 2005 Payment Rates" (RIN0938-AM75) received on November 15, 2004; to the Committee on Finance.

EC-9753. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, the report of the texts and background statements of international agreements, other than treaties; to the Committee on Foreign Relations.

EC-9754. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, the report of the texts and background statements of international agreements, other than treaties; to the Committee on Foreign Relations.

EC-9755. A communication from the Chairman, Occupational Safety and Health Review Commission, transmitting, pursuant to law, the report of the Office of Inspector General for fiscal year 2004; to the Committee on Governmental Affairs.

EC-9756. A communication from the Special Counsel, Office of Special Counsel, transmitting, pursuant to law, a report relative to the Federal Managers' Financial Integrity Act/Inspector General Act Reports; to the Committee on Governmental Affairs.

EC-9757. A communication from the Archivist, National Archives and Records Administration, transmitting, pursuant to law, the inventory of the Administration's commercial and inherently governmental activities; to the Committee on Governmental Affairs.

EC-9758. A communication from the Director, Office of Personnel Management, Division for Strategic Human Resources Policy, transmitting, pursuant to law, the report of a rule entitled "Premium Pay Limitations" received on October 14, 2004; to the Committee on Governmental Affairs.

EC-9759. A communication from the Administrator, Environmental Protection Agency, transmitting, pursuant to law, the Agency's report of the Office of Inspector General for the period from October 1, 2003 through March 31, 2004; to the Committee on Governmental Affairs.

EC-9760. A communication from the Auditor of the District of Columbia, transmitting, pursuant to law, a report entitled "Ineffective Management, Poor Internal Controls, and Inadequate Financial Oversight Found Within the District's Subsidized Child Care Program"; to the Committee on Governmental Affairs.

EC-9761. A communication from the Auditor of the District of Columbia, transmitting, pursuant to law, a report entitled "Audit of Advisory Neighborhood Commission 7B for Fiscal Years 2001 Through 2004 as of June 30, 2004"; to the Committee on Governmental Affairs.

EC-9762. A communication from the Auditor of the District of Columbia, transmitting, pursuant to law, a report entitled "Analysis of the Office of the Chief Financial Officer's Exception Account for Fiscal Years 2003 and 2004, as of June 30, 2004"; to the Committee on Governmental Affairs.

EC-9763. A communication from the Auditor of the District of Columbia, transmitting, pursuant to law, a report entitled "Results of the Auditor's Examination of the Processes Leading to the Award of a Sole Source, Non-Competitive Contract, and Blanket Purchase Agreement to Curtis Lewis & Associates"; to the Committee on Governmental Affairs.